

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEVEN F. SHERER,) Case No. C06-1635-RSM
Petitioner,)
v.)
BELINDA STEWART,) ORDER OF DISMISSAL
Respondent.)
_____)

The Court, after a full and careful consideration of petitioner's § 2254 petition for writ of habeas corpus, the answer of the respondent, all supplemental materials filed, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, the governing authorities, and the balance of the record, does hereby FIND as follows:

(1) In light of the thoroughly meticulous, 41 page Report and Recommendation, based on the comprehensive record developed before the magistrate judge, as well as the state of the record below, oral argument is unnecessary for this Court to fully consider petitioner's objections.

(2) As found by Judge Donohue, after an extensive review of petitioner's grounds for relief, the overwhelming nature and amount of circumstantial evidence presented at trial made the evidence more than sufficient to find Petitioner guilty beyond a reasonable doubt.

(3) Petitioner's objections to the Report and Recommendation lack merit.

ORDER DISMISSING § 2254 PETITION

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02 Therefore, this Court hereby ORDERS:

03 (1) Petitioner's request for oral argument is DENIED.
04 (2) The Court adopts the Report and Recommendation of Judge Donohue.
05 (3) Petitioner's federal habeas petition (Dkt. No. 1) is DENIED and this case is
06 DISMISSED with prejudice.
07 (4) The Clerk is directed to send copies of this Order to all counsel of record and to
08 Judge Donohue.

09 DATED this 17th day of June, 2009.
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13 RICARDO S. MARTINEZ
14 UNITED STATES DISTRICT JUDGE
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